

City of Bainbridge Island

NOTIFICATION OF INTENT TO OBTAIN CUSTODY

VESSEL NAME: Island Bird, WN5884RE

In accordance with RCW 79.100, the 'Island Bird', Washington registration number WN5884RE, has been declared abandoned because it meets the definition of an abandoned vessel as described in RCW 79.100.010 (1). The City of Bainbridge Island, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the above named vessel on July 1, 2006. Once we obtain custody of the vessel, we are authorized to use or dispose of it in any appropriate and environmentally sound manner without further notice to the owner. In order for the owner to retain custody of the vessel, the owner must obtain authorization to moor or anchor the vessel in its current location, move it to an anchorage area or moorage facility that has authorized the vessel, or remove the vessel from the water. If the owner wishes to redeem the vessel once the authorized public entity has taken custody, the owner must commence a lawsuit to contest the authorized public entity's decision to obtain custody of the vessel, or the amount of reimbursement owed, in the superior court of the county in which the vessel was located. The lawsuit must be commenced within twenty days of losing custody or the owner's right to a hearing is waived and the owner will be liable for any costs owed the authorized public entity. The costs the owner may be liable for include, but are not limited to, costs incurred exercising the authority granted in RCW 79.100.030, all administrative costs incurred by the authorized public entity during the procedure set forth in RCW 79.100.040, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel.

For more information regarding this action, contact the Harbormaster for the City of Bainbridge Island at (206) 780-3733.